

1 AN ACT Relating to expanding school-based health centers;
2 amending RCW 28A.310.510, 28A.300.630, and 28A.300.635; reenacting
3 and amending RCW 28A.320.125; adding new sections to chapter 28A.210
4 RCW; adding a new section to chapter 28A.345 RCW; adding a new
5 section to chapter 74.09 RCW; creating a new section; and providing
6 an expiration date.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** INTENT. (1) The legislature acknowledges
9 that the Washington integrated student supports protocol described in
10 RCW 28A.300.139 supports a school-based approach to promoting the
11 success of all students by coordinating academic and nonacademic
12 supports to reduce barriers to academic achievement and educational
13 attainment. It helps fulfill a vision of public education where
14 educators focus on education, students focus on learning, and
15 auxiliary supports enable teaching and learning to occur unimpeded.
16 The legislature recognizes school-based health centers as one of
17 these auxiliary supports.

18 (2) The legislature recognizes that it has recently taken steps
19 to improve student well-being by, for example: (a) Tasking a
20 children's mental health work group to identify barriers to and
21 opportunities for accessing mental health services for children and

families; (b) establishing a school safety and student well-being advisory committee to advise on all matters related to comprehensive school safety and student well-being; and (c) creating regional school safety centers within the educational service districts to provide coordination of school safety efforts throughout the state, including behavioral health coordination.

(3) The legislature recognizes that a number of school districts have partnered with health care sponsors to establish school-based health centers, which provide integrated medical, mental health, and, in some centers, dental services to students. The legislature finds that these school-based services promote the health and educational success of school-age children and adolescents.

(4) The legislature intends to support the expansion of school-based health centers by providing coordination and technical assistance with the goal of having at least one school-based health center in every first-class school district by the beginning of the 2025-26 school year.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.210 RCW to read as follows:

DEFINITIONS. The definitions in this section apply to sections 3 through 7 of this act unless the context clearly requires otherwise.

(1) "Health care sponsor" means a health care provider or a group of health care providers that staffs and manages the operations of a school-based health center. "Health care sponsor" includes a federally qualified health center, health care system, hospital, local health jurisdiction, or tribal health program.

(2) "School-based health center" means a student-focused health center located in or adjacent to a school where students can receive integrated medical, mental health, and other health care services.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.210 RCW to read as follows:

SCHOOL-BASED HEALTH CENTERS. (1) By the beginning of the 2025-26 school year, each first-class school district must partner with a health care sponsor to establish at least one school-based health center located within the school district. Each first-class school district must adopt or amend, if necessary, policies and procedures that, at a minimum, incorporate all of the elements of the model

1 school-based health center policy and procedure described in section
2 4 of this act.

3 (2)(a) At a minimum, a school-based health center must:

4 (i) Be established through an agreement between a school district
5 and a health care sponsor and the agreement must provide that the
6 health care sponsor has sole responsibility for the school-based
7 health center's services, activities, and operations;

8 (ii) Provide health services that are beyond the scope of the
9 school nurse; and

10 (iii) Serve any student in the school in which the school-based
11 health center is located.

12 (b) A school-based health center may serve students from other
13 schools in the district, families of students, school staff, and
14 community members.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.345
16 RCW to read as follows:

17 MODEL SCHOOL-BASED HEALTH CENTER POLICY AND PROCEDURE. (1) The
18 Washington state school directors' association, in collaboration with
19 the office of the superintendent of public instruction, shall develop
20 a model school-based health center policy and procedure that includes
21 the requirements of section 3 of this act, aligns with the Washington
22 integrated student supports protocol established in RCW 28A.300.139,
23 and addresses:

24 (a) Roles and responsibilities of school districts and health
25 care sponsors;

26 (b) Medicaid and private insurance billing considerations; and

27 (c) Sharing and protection of health care data.

28 (2) In developing the model policy and procedure, the Washington
29 state school directors' association and the office of the
30 superintendent of public instruction must consult with interested
31 stakeholders including the department of health; health care
32 authority; health care sponsors; educational service districts;
33 school districts; school nurses; and organizations representing
34 school-based health centers.

35 (3) The model policy and procedure must be posted on the
36 Washington state school directors' association and the office of the
37 superintendent of public instruction's web sites by July 1, 2021.

(4) For purposes of this section, "health care sponsor" and "school-based health center" mean the same as in section 2 of this act.

Sec. 5. RCW 28A.310.510 and 2019 c 333 s 3 are each amended to read as follows:

EDUCATIONAL SERVICE DISTRICT COORDINATION. (1) Subject to the availability of amounts appropriated for this specific purpose, each educational service district must establish a regional school safety and student well-being center as provided in this section.

(2) The regional school safety and student well-being centers working in collaboration with one another and the state school safety center, established in RCW 28A.300.630, form a statewide network for school safety. The purpose of this statewide network is to provide coordination of school safety and student well-being efforts throughout the state and to provide school safety and student well-being resources to the school districts in each educational service district region.

(3) Working in collaboration with the office of the superintendent of public instruction and the statewide network, each regional school safety and student well-being center must provide to the school districts in its region:

(a) Behavioral health coordination that, at a minimum, includes:

(i) Providing support for school district development and implementation of plans for recognition, initial screening, and response to emotional or behavioral distress in students as required by RCW 28A.320.127;

(ii) Suicide prevention training for school counselors, school psychologists, and school social workers;

(iii) Facilitating partnerships and coordination between school districts, public schools, and existing regional and local systems of behavioral health care services and supports in order to increase student and family access to the services and supports;

(iv) Assisting school districts and public schools in building capacity to identify and support students in need of behavioral health care services and to link students and families with community-based behavioral health care services;

(v) Identifying, sharing, and integrating, to the extent practicable, behavioral and physical health care service delivery models;

1 (vi) Providing medicaid and private insurance billing related
2 training, technical assistance, and coordination between school
3 districts; and

4 (vii) Guidance in implementing best practices in response to, and
5 to recover from, the suicide or attempted suicide of a student;

6 (b) School-based health center coordination that, at a minimum
7 includes:

8 (i) Facilitating partnerships and coordination between school
9 districts, public schools, and health care sponsors in order to
10 increase access to school-based health centers;

11 (ii) Identifying, sharing, and integrating, to the extent
12 practicable, behavioral and physical health care service delivery
13 models;

14 (iii) Providing medicaid and private insurance billing-related
15 training, technical assistance, and coordination between school-based
16 health centers; and

17 (iv) Identifying available funding sources.

18 (c) School-based threat assessment coordination that, at a
19 minimum, includes:

20 (i) Providing training and technical assistance regarding the use
21 of the model policy and procedure to establish a school-based threat
22 assessment program, developed under RCW 28A.300.640;

23 (ii) Assisting with ongoing identification and implementation of
24 best practices for school-based threat assessment programs, described
25 under RCW 28A.320.123; and

26 (iii) Building partnerships with community partners, such as
27 behavioral health providers, law enforcement agencies, emergency
28 responders, juvenile justice organizations, and child welfare
29 agencies, for the purpose of implementing school-based threat
30 assessment programs that comply with best practices;

31 ~~((e))~~ (d) Assistance with coordinating other entities in the
32 region to provide support to school districts before emergencies
33 occur;

34 ~~((d))~~ (e) Support the use of the Washington integrated student
35 supports protocol established in RCW 28A.300.139.

36 (f) Plan, coordinate, and deliver the trainings required by this
37 subsection (3), and other school district staff trainings related to
38 school safety and student well-being, in order to maximize quality
39 professional learning;

1 ~~((e))~~ (g) Technical assistance to school districts seeking
2 funding for first aid, health, and safety and security resources;

3 ~~((f))~~ (h) Information about systems and programs that allow
4 anonymous reporting of student concerns;

5 ~~((g))~~ (i) Real-time support and assistance for school districts
6 in crisis, such as offering information, technical assistance
7 associated with best practices, and staff trained in responding to
8 school emergencies;

9 ~~((h))~~ (j) Develop collaborative relationships with community
10 organizations, private schools, businesses, and others interested in
11 supporting safe schools; and

12 ~~((i))~~ (k) Other services consistent with state and federal
13 school safety requirements, including comprehensive safe school
14 planning under RCW 28A.320.125.

15 (4) The regional school safety and student well-being centers
16 may, based on the needs of the school districts in their region, and
17 in collaboration with emergency responders, provide assistance to,
18 and facilitate communication between, emergency responders and
19 schools or school districts impacted by emergency situations.

20 (5) For purposes of this section, "health care sponsor" and
21 "school-based health center" have the same meaning as in section 2 of
22 this act.

23 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.210
24 RCW to read as follows:

25 HEALTH CARE COORDINATION. (1) The department of health and the
26 health care authority shall support school-based health centers by
27 providing technical assistance to health care sponsors and the
28 regional school safety and student well-being centers established in
29 RCW 28A.310.510.

30 (a) The department of health shall assist regional school safety
31 and student well-being centers with identifying potential health care
32 sponsors.

33 (b) The health care authority shall assist the regional school
34 safety and student well-being centers and health care sponsors with
35 medicaid billing.

36 (2) Beginning January 1, 2022, the department of health shall
37 annually report to the appropriate legislative committees on the
38 number and location of school-based health centers established. The

report may include policy recommendations aimed at expanding school-based health centers in Washington state.

NEW SECTION. Sec. 7. A new section is added to chapter 74.09 RCW to read as follows:

MEDICAID REIMBURSEMENT. (1) The authority shall develop a school-based health center payment methodology for medical assistance clients that recognizes the value and unique service delivery of providing health care in a school-based setting. The methodology shall provide reimbursement for:

(a) Physical and behavioral health care services delivered in a school-based health center model; and

(b) Multidisciplinary team-based services, such as shared appointments, care conferences, and team meetings.

(2) In developing the methodology, the authority shall consult with school-based health centers and organizations representing school-based health centers.

(3) By December 1, 2020, the authority shall report the methodology with proposed recommendations for implementation to the appropriate legislative committees.

(4) For purposes of this section, "school-based health center" has the same meaning as in section 2 of this act.

(5) This section expires January 1, 2021.

Sec. 8. RCW 28A.300.630 and 2019 c 333 s 2 are each amended to read as follows:

CONFORMING AMENDMENTS. (1) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall establish a school safety center as provided in this section.

(2) The center, working in conjunction with the regional school safety and student well-being centers established in RCW 28A.310.510, forms a statewide network for school safety.

(3) The center, in collaboration with staff in the office of the superintendent of public instruction, must:

(a) Serve as a clearinghouse for information regarding comprehensive school safety planning and practice;

(b) Disseminate information regarding school safety incidents in Washington and across the country;

(c) Develop and maintain a public web site to increase the availability of information, research, and other materials related to school safety;

(d) Serve as the lead school safety center, and work in conjunction with the regional school safety and student well-being centers, to support school districts' efforts to meet state requirements regarding school safety including the development and implementation of:

(i) Comprehensive safe school plans as required by RCW 28A.320.125; and

(ii) Plans for recognition, initial screening, and response to emotional or behavioral distress in students as required by RCW 28A.320.127;

(e) Develop model school safety policies and procedures and identify best practices in school safety;

(f) Work in conjunction with the regional school safety centers to plan for the provision of school safety trainings and to provide technical assistance;

(g) Hold an annual school safety summit as required by RCW 28A.300.273;

(h) Support the required activities of the regional school safety centers, established in RCW 28A.310.510; and

(i) Perform other functions consistent with the purpose of the center, as described in this section.

Sec. 9. RCW 28A.300.635 and 2019 c 333 s 4 are each amended to read as follows:

(1) The school safety and student well-being advisory committee is established within the office of the superintendent of public instruction. The purpose of the committee is to advise the superintendent, the office of the superintendent of public instruction's school safety center, the regional school safety and student well-being centers, school districts, and public and private schools on all matters related to comprehensive school safety and student well-being.

(2) The superintendent of public instruction must appoint the members of the committee. The members must represent the following sectors, agencies, and organizations, at a minimum: The various state education associations, including teachers associations, the association of colleges for teacher education, and associations for

educational staff associates; the educational service districts; the state ethnic commissions; the governor's office of Indian affairs; parent organizations; student organizations; private schools; emergency management; behavioral health; public health; law enforcement; and emergency first responders.

(3) The committee shall:

(a) Make recommendations to those it advises on policies and strategies to improve school safety and student well-being;

(b) Identify emerging issues and best practices for consideration and implementation, particularly as these relate to the integration of student well-being and school safety;

(c) Establish priorities for training, funding, statewide data collection, and other forms of support for students, schools, and school districts;

(d) Engage the public on school safety and student well-being; and

(e) Perform other duties as required by law.

(4) By November 15, 2020, and by November 15th every even year thereafter, and in compliance with RCW 43.01.036, the committee must coordinate with the office of the superintendent of public instruction's school safety center to submit a report to the appropriate committees of the legislature. The report must summarize the committee's activities during the past biennium, include recommended state policies and strategies for improving school safety and student well-being, provide an estimate of the cost to implement each recommendation, and prioritize the recommendations.

(5) Staff support for the committee must be provided by the office of the superintendent of public instruction.

(6) The committee must meet at least quarterly.

(7) Members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other members is subject to chapter 43.03 RCW.

Sec. 10. RCW 28A.320.125 and 2019 c 333 s 10 and 2019 c 84 s 1 are each reenacted and amended to read as follows:

(1) The legislature considers it to be a matter of public safety for public schools and staff to have current safe school plans and procedures in place, fully consistent with federal law. The legislature further finds and intends, by requiring safe school plans

1 to be in place, that school districts will become eligible for
2 federal assistance. The legislature further finds that schools are in
3 a position to serve the community in the event of an emergency
4 resulting from natural disasters or man-made disasters.

5 (2) Schools and school districts shall consider the guidance and
6 resources provided by the state school safety center, established
7 under RCW 28A.300.630, and the regional school safety and student
8 well-being centers, established under RCW 28A.310.510, when
9 developing their own individual comprehensive safe school plans. Each
10 school district shall adopt and implement a safe school plan
11 consistent with the school mapping information system pursuant to RCW
12 36.28A.060. The plan shall:

13 (a) Include required school safety policies and procedures;

14 (b) Address emergency mitigation, preparedness, response, and
15 recovery;

16 (c) Include provisions for assisting and communicating with
17 students and staff, including those with special needs or
18 disabilities;

19 (d) Include a family-student reunification plan, including
20 procedures for communicating the reunification plan to staff,
21 students, families, and emergency responders;

22 (e) Use the training guidance provided by the Washington
23 emergency management division of the state military department in
24 collaboration with the state school safety center in the office of
25 the superintendent of public instruction, established under RCW
26 28A.300.630, and the school safety and student well-being advisory
27 committee, established under RCW 28A.300.635;

28 (f) Require the building principal to be certified on the
29 incident command system;

30 (g) Take into account the manner in which the school facilities
31 may be used as a community asset in the event of a community-wide
32 emergency; and

33 (h) Set guidelines for requesting city or county law enforcement
34 agencies, local fire departments, emergency service providers, and
35 county emergency management agencies to meet with school districts
36 and participate in safety-related drills.

37 (3) To the extent funds are available, school districts shall
38 annually:

39 (a) Review and update safe school plans in collaboration with
40 local emergency response agencies;

(b) Conduct an inventory of all hazardous materials;

(c) Update information on the school mapping information system to reflect current staffing and updated plans, including:

- (i) Identifying all staff members who are trained on the national incident management system, trained on the incident command system, or are certified on the incident command system; and
- (ii) Identifying school transportation procedures for evacuation, to include bus staging areas, evacuation routes, communication systems, parent-student reunification sites, and secondary transportation agreements consistent with the school mapping information system; and

(d) Provide information to all staff on the use of emergency supplies and notification and alert procedures.

(4) To the extent funds are available, school districts shall annually record and report on the information and activities required in subsection (3) of this section to the Washington association of sheriffs and police chiefs.

(5) School districts are encouraged to work with local emergency management agencies and other emergency responders to conduct one tabletop exercise, one functional exercise, and two full-scale exercises within a four-year period.

(6)(a) Due to geographic location, schools have unique safety challenges. It is the responsibility of school principals and administrators to assess the threats and hazards most likely to impact their school, and to practice three basic functional drills, shelter-in-place, lockdown, and evacuation, as these drills relate to those threats and hazards. Some threats or hazards may require the use of more than one basic functional drill.

(b) Schools shall conduct at least one safety-related drill per month, including summer months when school is in session with students. These drills must teach students three basic functional drill responses:

- (i) "Shelter-in-place," used to limit the exposure of students and staff to hazardous materials, such as chemical, biological, or radiological contaminants, released into the environment by isolating the inside environment from the outside;
- (ii) "Lockdown," used to isolate students and staff from threats of violence, such as suspicious trespassers or armed intruders, that may occur in a school or in the vicinity of a school; and

1 (iii) "Evacuation," used to move students and staff away from
2 threats, such as fires, oil train spills, lahars, or tsunamis.

3 (c) The drills described in (b) of this subsection must
4 incorporate the following requirements:

5 (i) Use of the school mapping information system in at least one
6 of the safety-related drills;

7 (ii) A pedestrian evacuation drill for schools in mapped lahars
8 or tsunami hazard zones; and

9 (iii) An earthquake drill using the state-approved earthquake
10 safety technique "drop, cover, and hold."

11 (d) Schools shall document the date, time, and type (shelter-in-
12 place, lockdown, or evacuate) of each drill required under this
13 subsection (6), and maintain the documentation in the school office.

14 (e) This subsection (6) is intended to satisfy all federal
15 requirements for comprehensive school emergency drills and
16 evacuations.

17 (7) Educational service districts are encouraged to apply for
18 federal emergency response and crisis management grants with the
19 assistance of the superintendent of public instruction and the
20 Washington emergency management division of the state military
21 department.

22 (8) The superintendent of public instruction may adopt rules to
23 implement provisions of this section. These rules may include, but
24 are not limited to, provisions for evacuations, lockdowns, or other
25 components of a comprehensive safe school plan.

26 (9)(a) Whenever a first responder agency notifies a school of a
27 situation that may necessitate an evacuation or lockdown, the agency
28 must determine if other known schools in the vicinity are similarly
29 threatened. The first responder agency must notify every other known
30 school in the vicinity for which an evacuation or lockdown appears
31 reasonably necessary to the agency's incident commander unless the
32 agency is unable to notify schools due to duties directly tied to
33 responding to the incident occurring. For purposes of this
34 subsection, "school" includes a private school under chapter 28A.195
35 RCW.

36 (b) A first responder agency and its officers, agents, and
37 employees are not liable for any act, or failure to act, under this

1 subsection unless a first responder agency and its officers, agents,
2 and employees acted with willful disregard.

--- **END** ---